

IN THE MUNICIPAL COURT OF THE CITY OF TIGARD
COUNTY OF WASHINGTON - STATE OF OREGON

In the Matter of Establishing a Base Fine
Schedule for Traffic Violations and
Parking Violations

)
)
)
)

Order No. 25

Base Fine Schedule
(Amended)

IT IS HEREBY ORDERED:

I

TRAFFIC BASE FINE SCHEDULE

Except as otherwise ordered by the Court, the following Base Fine Schedule shall apply to all traffic offenses: (Includes mandatory state and county assessments under ORS 137.292 and 137.309.)

Traffic Citations

A. Violation of a traffic offense where an amount is not otherwise specifically provided in this schedule. For amounts with an "*" behind the number, add \$42.00 to total amount if defendant was exceeding the legal speed in a vehicle that requires a commercial driver license to operate.

1. Class A traffic violation

Individual

- | | |
|---|-----------|
| a. Basic - not contributing to an accident | \$450.00* |
| b. Accident/Injury/Risk | \$525.00* |
| c. Traffic Special Zone -In a posted school zone, highway work zone, or safety corridor | \$700.00* |

Corporation

- | | |
|--|-------------|
| a. Basic - not contributing to an accident | \$850.00* |
| b. Accident/Injury/Risk | \$990.00* |
| c. Traffic Special Zone-In a posted school zone, highway work zone, or safety corridor | \$1,280.00* |

2. Class B traffic violation

Individual

- | | |
|---|-----------|
| a. Basic - not contributing to an accident | \$250.00* |
| b. Accident/Injury/Risk | \$300.00* |
| c. Traffic Special Zone -In a posted school zone, highway work zone, or safety corridor | \$375.00* |

Corporation – Class B

- | | |
|--|-----------|
| a. Basic - not contributing to an accident | \$450.00* |
|--|-----------|

b.	Accident/Injury/Risk	\$525.00*
c.	Traffic Special Zone -In a posted school zone, highway work zone, or safety corridor	\$700.00*
3. Class C traffic violation		
<u>Individual</u>		
a.	Basic - not contributing to an accident	\$150.00*
b.	Accident/Injury/Risk	\$175.00*
c.	Traffic Special Zone -In a posted school zone, highway work zone, or safety corridor (speeding only)	\$220.00*
<u>Corporation</u>		
a.	Basic - not contributing to an accident	\$250.00*
b.	Accident/Injury/Risk	\$300.00*
c.	Traffic Special Zone -In a posted school zone, highway work zone, or safety corridor (speeding only)	\$375.00

*Commercial Vehicle Speed – Defendant was exceeding the legal speed by at least 10 miles an hour in a vehicle that requires a commercial driver license to operate. Add \$42.00

4. Class D traffic violation

Individual

a.	Basic - not contributing to an accident	\$100.00
b.	Accident/Injury/Risk	\$115.00
c.	Traffic Special Zone -In a posted school zone, highway work zone, or safety corridor (speeding only)	\$130.00

Corporation

a.	Basic - not contributing to an accident	\$150.00
b.	Accident/Injury/Risk	\$175.00
c.	Traffic Special Zone - In a posted school zone, highway work zone, or safety corridor (speeding only)	\$220.00

B. For violation of lawful or posted speed limit (ORS 811.100, 811.110, 811.112, 811.115, 811.120, 811.123, 811.806 and 390.990[5]) amounts with an "*" behind the number, add \$42.00 to total amount if defendant was driving a vehicle that requires a commercial driver license to operate.

1. Class D: 1 to 10 mph excess or any excess speed in a funeral procession.

Individual

a.	Basic - not contributing to an accident	\$100.00
b.	Accident/Injury/Risk	\$115.00
c.	Traffic Special Zone - In a posted school zone, highway work zone, or safety corridor	\$130.00

Corporation

a.	Basic - not contributing to an accident	\$150.00*
b.	Accident/Injury/Risk	\$175.00*

c.	Traffic Special Zone - In a posted school zone, highway work zone, or safety corridor	\$220.00*
2.	Class C: 11 to 20 mph excess or 66 to 75 mph where legal speed is 65 mph.	
	<u>Individual</u>	
a.	Basic - not contributing to an accident	\$150.00*
b.	Accident/Injury/Risk	\$175.00*
c.	Traffic Special Zone - In a posted school zone, highway work zone, or safety corridor	\$220.00*
	<u>Corporation</u>	
a.	Basic - not contributing to an accident	\$250.00*
b.	Accident/Injury/Risk	\$300.00*
c.	Traffic Special Zone - In a posted school zone, highway work zone, or safety corridor	\$375.00*
3.	Class B: 21 to 30 mph excess or 76 to 85 mph where legal limit is 65 mph.	
	<u>Individual</u>	
a.	Basic - not contributing to an accident	\$250.00*
b.	Accident/Injury/Risk	\$300.00*
c.	Traffic Special Zone - In a posted school zone, highway work zone, or safety corridor	\$375.00*
	<u>Corporation</u>	
a.	Basic - not contributing to an accident	\$450.00*
b.	Accident/Injury/Risk	\$525.00*
c.	Traffic Special Zone -In a posted school zone, highway work zone, or safety corridor	\$700.00*
4.	Class A: Over 30 mph excess or over 85 mph where legal speed is 65.	
	<u>Individual</u>	
a.	Basic - not contributing to an accident	\$450.00*
b.	Accident/Injury/Risk	\$525.00*
c.	Traffic Special Zone -In a posted school zone, highway work zone, or safety corridor	\$700.00*
	<u>Corporation</u>	
a.	Basic - not contributing to an accident	\$850.00*
b.	Accident/Injury/Risk	\$990.00*
c.	Traffic Special Zone -In a posted school zone, highway work zone, or safety corridor	\$1,280.00*
5.	100 mph or greater	
	Individual	\$1,103.00
	Corporation	\$2,103.00

*Commercial Vehicle Speed – Defendant was exceeding the legal speed by at least 10 miles an hour in a vehicle that requires a commercial driver license to operate. Add \$42 for commercial vehicle speed.

C. Unclassified Violations – where statute does not provide a specific fine classification or fine amount for a violation, it is a “Class B” violation. See B Violations

D. Motor carrier violations (ORS chapter 825)

1. Failure to obtain motor carrier certificate permit, ORS 825.100 and 825.990
Class A Violation
2. 825.990(1) **Motor Carrier/Commercial Vehicle Operation Rules**
(as amended by sec. 233, ch. 1051, OR Laws 1999.) Violation of
certain OR Dept. of Transportation rules related to commercial
vehicles. Class A Violation*
3. 825.990(4) **Motor carrier/Commercial Vehicle Hazardous Waste
Transportation Rules** (as amended by sec. 233, ch. 1051, OR Laws 1999.)
Violation of certain OR Dept. of Transportation rules related to transportation of
hazardous wastes. Unclassified Misd*
4. 925.990(2) Violating out of service Class A Misd

For those with “*” violation – level penalties may be established for specific rule violations by rule, see ORS 153.022.

E. Careless Driving

- a. NOT contributing to an accident (Class B traffic violation) \$250.00
- b. Contributing to an accident (Class A traffic violation)* \$450.00
- c. Traffic special zone, no accident \$375.00
- d. Traffic special zone, with accident \$700.00

NOTE: The base fine amount for this offense is not otherwise subject to increase for contributing to an accident, see 153.128(2)

F. U-turn 811.365

- a. NOT contributing to an accident (Class C violation) \$150.00
- b. Contributing to an accident (Class B violation)* \$250.00
- c. Traffic special zone, no accident \$220.00
- d. Traffic special zone, with accident \$375.00

NOTE: The base fine amount for this offense is not otherwise subject to increase for contributing to an accident, see 153.128(3).

G. ORS 818.430, Schedule 1 overload offenses. Applies to violations of 818.020, 818.060, 818.340(5)(c)

1. 1,000 lbs. or less excess \$45.00
2. 1,001 to 2,000 lbs excess \$77.00
3. 2,001 to 3,000 lbs excess \$49 + .03 per excess lb
4. 3,001 to 4,999 lbs excess: \$55 + .05 per excess lb
5,000 lbs excess \$59 + .05 per excess lb
5. 5,001 to 7,500 lbs excess \$100 + .13 per excess lb
6. 7,501 to 10,000 lbs excess \$100 + .15 per excess lb
7. 10,001 to 12,500 lbs excess \$100 + .19 per excess lb

8. More than 12,500 lbs excess \$100 + .24 per excess lb

H. ORS 818.430, Schedule II overload offenses, applies to offenses under 818.340(5)(b).

1. 100 to 5,000 lbs excess
 - a. Less than 1,500 excess lbs \$155 + .10 per excess lb
 - b. 1,500 to 3,999 lbs excess \$159 + .10 per excess lb
 - c. 4,000 lbs or more excess \$1100 + .10 per excess lb
2. 5,001 to 10,000 lbs excess \$344 + .15 per excess lb
3. More than 10,000 lbs excess \$5100 + .30 per excess lb

I. ORS 818.430, Schedule III overload offenses, applies to offenses under ORS 818.040

1. 100 to 5,000 lbs excess
 - a. Less than 1,000 excess lbs \$155 + .15 per excess lb
 - b. 1,000 to 2,666 lbs excess \$159 + .15 per excess lb
 - c. 2,667 to 5,000 lbs excess \$1100 + .15 per excess lb
2. 5,001 to 10,000 lbs excess \$344 + .20 per excess lb
3. More than 10,000 lbs excess (unclassified misdemeanor) Circuit Court

J. State parking offenses.

1. Class B violation: 811.630 \$180.00
2. Class D violation: 811.555, 811.570, 811.575, 811.580, 811.585, OAR \$45.00
3. Violation of winter parking permit requirements \$30.00
4. Blocking a Disabled Parking Space (811.617) \$50.00
5. Parking in a disabled parking space in violation of ORS 811.615 (1st offense) \$360.00
If prior conviction for 811.615 \$450.00
6. Unlawful use of a disabled person parking permit in violation of ORS 811.625 (Class A violation). \$450.00
7. Misuse of a disabled person parking permit in violation of ORS 811.630 (Class A violation) \$450.00

K. Misc. Specific Fine Traffic Violations

1. Bicycle helmet violation: ORS 814.485, 814.486 \$75.00
2. Vehicle overweight/overload: See ORS 818.430

L. Specific Fine Violations – Specific fine violations are not designated as a misdemeanor or felony or as a Class A, B, C, or D violation by statute; do not include a term of imprisonment as a penalty; and are punishable by a specific fine as the penalty for committing the offense. The base fine amount is equal to the fine amount provided by statute (the maximum) added to \$37 (unitary assessment amount) and the appropriate County Assessment amount under ORS 137.309. Base Fine + Statutory fine + \$37 + County Assessment

M. Driving while suspended or revoked

1. Violation, ORS 811.175, Class A \$450.00
2. Misdemeanor, ORS 811.182(4) Circuit Court
3. Felony, ORS 811.182(3) Not subject to citation on UTC

O. Violations of Chapter 10.32 of the Tigard Municipal Code (per 10.32.250

\$250.00

II

BASE FINE SCHEDULE FOR VIOLATION OF CITY PARKING CODES

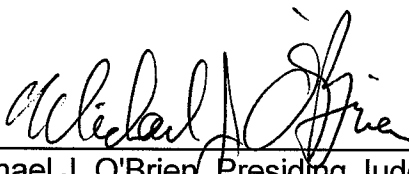
Parking Citations

Over Time Limit	5.00	All Other Violations	15.00
Over Space Limit	5.00	Bridge Approach or Viaduct	15.00
One Foot From Curb	5.00	Double Parking	15.00
		During Prohibited Time	15.00
Angle Parking	8.00	No Parking Any Time	15.00
Bank Zone	8.00	Obstructing Streets	15.00
Over Crosswalk	8.00	On Railroad Tracks	15.00
Over Sidewalk	8.00	Tow Away Zone	15.00
Parking Strip	8.00	Truck/Trailer Prohibited Area	15.00
		W/I Ten Feet of Fire Hydrant	15.00
		Wrong Side of Street	15.00
Parking Without a Permit	30.00	Abandoned Vehicle	50.00

III

PRIOR ORDERS

All prior orders of the Court concerning the matters covered herein, are superseded and vacated by this Order. Made and entered this 6th day of January, 2006, nunc pro tunc January 1, 2006.



Michael J. O'Brien, Presiding Judge
Tigard Municipal Court